OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

FROM : J. S. Peelman

SUBJECT: MURKIN

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Gallagher
DATE: 12/16/75
1 - Mr. O'Connell
1 - Mr. Peelman
1 - Mr. Lawn

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This is the case involving the murder of Martin Luther King, Jr., in Memphis, Tennessee, in April, 1968.

Reference is made to a previous memorandum dated 12/12/75, captioned as above, which set out and refuted allegations made by Harold Weisberg, against the FBI in reference to captioned investigation, based upon material furnished him under the Freedom of Information Act (FOIA).

One of these allegations involved information Weisberg received in a letter from Deputy Attorney General Tyler which indicated erroneously that the FBI Laboratory did not conduct spectrographic analyses of the fatal bullet.

On 12/16/75, Departmental Attorney Volney Brown, FOIA Section, Department of Justice, advised SA [redacted], General Investigative Division, that the Department had issued a press release dated 12/11/75 refuting a statement by Harold Weisberg that information received by Weisberg pertaining to this investigation was obtained as a result of a suit. (A copy of that release is attached.)

Additionally, Mr. Brown stated that information furnished to Weisberg in the Deputy Attorney General's letter dated 12/1/75, was incorrect. Brown advised that a letter is being prepared to be forwarded to Weisberg acknowledging that erroneous information had been furnished and that the FBI Laboratory did in fact conduct spectrographic analyses of the fatal bullet, copies of which analyses have been furnished to Weisberg under his FOIA request. A copy of this letter to Weisberg will be forwarded to this Bureau.

In view of the fact that the Department is preparing a letter correcting the misinformation previously furnished to Weisberg, it does not appear that a letter from this Bureau to the Department pointing out this misinformation is warranted.

ACTION: None. For information.

12 DEC 31 1975

Enc.
44-38861
JCL/pwl

ENCLOSURE

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0-20 (Rev. 8-5-74)

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UP-134
R B
ADD 1 KING INVESTIGATION, WASHINGTON (UP-050)
A JUSTICE DEPARTMENT SPOKESMAN SAID WEISBERG WAS WRONG IN THINKING HE GOT THE MATERIAL AS A RESULT OF HIS SUIT. HE SAID DEPUTY ATTORNEY GENERAL HAROLD R. TYLER JR. MADE THE DECISION THREE DAYS BEFORE HE HEARD ABOUT THE SUIT.
WEISBERG FILED THE SUIT ON NOV. 28 BUT THE U.S. ATTORNEY DID NOT GET A NOTICE OF THE SUIT UNTIL DEC. 1 AND THE JUSTICE DEPARTMENT CRIMINAL DIVISION, ON DEC. 2, THE SPOKESMAN SAID. HE SAID TYLER WAS NOT TOLD UNTIL DEC. 3.
UPI 12-11 05:52 PES

Memo Pielman to Gallagher
12-16-75
JCL/PWL

WASHINGTON CAPITAL NEWS SERVICE
ENCLOSURE 4

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